

Appln. No. 10/003,789
Amendment dated Feb. 03, 2004
Reply to Office action of Nov. 03, 2003
Docket No. BOC9-2001-0037 (280)

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of November 03, 2003 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due.

In paragraphs 1 and 2 of the Office Action, claims 1-3, and 6-11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Number 6,560,576 to Cohen *et al.* (Cohen) in view of U.S. Patent Number 6,535,730 to Chow *et al.* (Chow). In paragraph 3 of the Office Action, claims 4, 5, 12, and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen in view of Chow in further view of U.S. Patent Number 6,178,237 to Horn (Horn).

In response to the Office Action, Applicants have amended claims 1, and 9 to clarify that the conferencing occurs within an application level component as detailed at page 6, lines 6-8.

Applicants have added claims 14 and 15 to specify that the conferencing of claims 1 and 9 can occur within a VoiceXML environment as detailed at page 8, line 21 and page 9, line 7 as well as FIG. 1 and throughout the specification. Similarly, claim 16 has been added to specify that the voice browser is configured to programmatically execute VoiceXML commands. No new matter has been added as a result of these amendments.

Prior to addressing the rejections on the art, a brief review of the Applicants' invention is in order. The Applicants' claimed and disclosed subject matter teaches a system, a method, and an apparatus for conferencing additional callers into a voice browsing session which has been established between an initial caller and a voice browser. In particular, an additional caller can be added to an existing voice browsing session by initiating an outbound call from within the voice browsing session to the additional caller whose addition is desired. In this way, participants in a voice browsing session can conference additional callers at will using application level components without requiring expensive hardware add-ons.

At the time the application was filed, a VoiceXML environment did not support conferencing capabilities as noted between page 1, line 21 and page 2, line 2. The Applicants have disclosed a means for extending the capabilities of VoiceXML to include conferencing capabilities.

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Additionally, the Applications have disclosed a novel method of aggregating voice data streams using a voice data stream manager, where the voice data stream manager is a software component associated with the voice browser of a telephony session participant

Turning specifically to the rejections on the art, in paragraphs 1 and 2 of the Office Action, claims 1-3, and 6-11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen in view of Chow. Cohen discloses a voice browser for providing user-specific help. Cohen, as acknowledged by the Examiner does not teach or suggest conferencing an additional party into a telephony session. That is, Cohen is silent with respect to teleconferencing.

Chow teaches a method and system for using mobile telephony phones in conjunction with a wireless centrix service. Chow includes a conference call feature within the centrix. More specifically, according to Chow,

The WCS (*Wireless Centrix System*) service provides conference call functionality for a wireless communications unit (mobile station MS) so that a user can connect additional parties to an active call with a party within or outside the WCS. Column 8, line 67 to column 9, line 4 of Chow.

Cohen The WCS can be a private branch exchange (PBX) as noted at column 28, lines 16-21. Accordingly, Chow teaches a PBX can include teleconferencing capabilities. Chow is silent, however, as to adding conferencing capabilities using application level components. Moreover, Chow is silent with respect to voice browsers. Chow also does not disclose a system or method that operates within a VoiceXML environment and does not teachings or suggest a system or method that can be utilized within a VoiceXML environment. Further, as acknowledged by the Examiner, Chow does not teach or suggest aggregating voice data streams using a voice data stream manager, as is taught by the Applicants.

Additionally, regarding paragraphs 2 and 3 of the Office Action, no motivation to combine Cohen with Chow is evident. Cohen teaches a help method that applies to a voice-enabled application operating within a user's computing machine. Chow teaches a system and method relating to a local telephony switch, such as a PBX. Teachings for client side voice browsers are unrelated to teachings for telephony switches. As neither Cohen nor Chow provide

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teachings and/or motivation to bridge this gap, it is improper to combine Cohen and Chow for purposes of the Applicants' claimed invention under § 103(a).

Even if motivation existed to combine the teachings of Cohen with the teachings of Chow, the Applicants invention would not be obviously based upon a combination of these teachings. Specifically, regarding claims 1 and 9, Cohen is silent as to conferencing capabilities as acknowledged by the Examiner. Chow, however, is cited as teaching a method of operating telecommunications conferencing system that includes a conference bridge having a plurality of ports. In Chow, the conferencing presumptively occurs within a local telecommunications switch, such as a PBX. The Examiner can appreciate that teleconferencing capabilities of a telephony network are generally implemented within switch level hardware as alluded to on page 2 of the Applicants' specification and at column 28, lines 16-21 of Chow. Chow fails to teach or suggest that conferencing is to be performed within an application level component as claimed by the Applicants. Accordingly, Chow fails to overcome the deficiencies of Cohen.

Regarding claims 2 and 10, Cohen is cited as teaching conferencing selected ones of a plurality of additional parties into the voice browsing session. As previously acknowledged by the Examiner, Cohen does not teach conferencing. The cited portion of Cohen (column 4, lines 37-38) teaches instead that each server of FIG. 1 can multitask. That is, each server can support multiple simultaneous requests provided by multiple callers. Cohen does not teach that the servers of FIG. 1 are to include conferencing capabilities.

Regarding claim 6, the Examiner cites the same reasons for rejection as provided for claims 1, 3, and 4. However, claim 6 specifies:

a voice data stream manager configured to aggregate a voice data stream of said calling party and a voice data stream of said called party into a single voice stream

The Examiner acknowledges in paragraph 3 that Cohen does not teach aggregating a voice data stream. Additionally, no reference from Chow has been provided to teach the aggregation of a voice data stream, and Applicants believe that Chow lacks any such teaching. Accordingly, claim 6 is not obvious in light of Cohen in view of Chow.

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Further, the voice browser of claim 6 is an application level component. Chow fails to teach or suggest a system or method for adding conferencing capabilities to an application level component. Cohen similarly lacks teaching or suggestions for adding conferencing capabilities to a voice browser or other application level component.

In paragraph 3 of the Office Action, claims 4, 5, 12, and 13 have been rejected 35 U.S.C. § 103(a) as being unpatentable over Cohen in view of Chow in further view of Horn. Horn teaches a dedicated piece of hardware (the bridge 108) that can aggregate telephony signals. That is, Horn teaches aggregation for teleconferencing is to occur using hardware disposed at the network level. Horn fails to suggest and even teaches away from aggregating voice data streams at an application level using software (a voice browser).

Regarding claim 4, the stream manipulation taught by the Applicants allows client software controlled by a caller to perform voice data stream aggregation and thereby conference callers into voice browser sessions without relying upon hardware, such as telephony central office hardware. Horn provides no such teaching and instead requires use of dedicated hardware in the form of the bridge 108.

Regarding claim 5, Horn teaches that all telephony signals should be sent to a centralized junction point (the bridge 108) where aggregation can occur. All aggregation for a telephony session as taught by Horn should occur via the bridge which server different telephony signals to all telephony participants, as noted below.

To avoid feedback and instability, the input signals from a participant of the teleconference are suppressed in the composite output signals derived to that participant. Therefore, each participant in the teleconference receives a different sum of input signals. *(where the output signals and the routing to the different participants occurs via the bridge)* Column 1, lines 59-63 of Horn

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In contrast, claim 5 teaches that audio can be sent from a non-central location to join new participants into the conference. That is, the Applicants teach that some telephony session aggregation occurs in the PSTN 205 and other telephony session aggregation occurs at the voice browser. This decentralized joining of telephony participants occurs via an application level component, namely the voice browser.

Horn fails to cure the deficiencies of Cohen and Chow. Horn, Cohen, Chow, and combinations thereof fail to teach or suggest conferencing parties into a voice browser session using application level components. Horn, Cohen, Chow, and combinations thereof also fail to teach or suggest a voice data stream manager and/or aggregating voice data streams using an application level component.

Regarding claims 14, 15, and 16, at the time of the Applicants' invention, VoiceXML lacked conferencing capabilities. One inventive use of the Applicants' invention, as claimed in claims 14, 15, and 16, is to enhance VoiceXML enabled environments to include conferencing capabilities. Neither Cohen, Chow, Horn, nor any combination thereof teach or suggest a method for enhancing a VoiceXML environment to include conferencing capabilities.

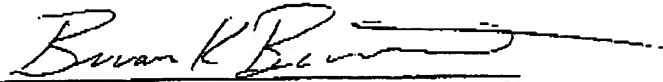
Additionally, there is no motivation to combine Horn with Cohen. Horn teaches a bridge, which is a dedicated piece of network hardware, can be used to teleconference. Cohen is a software system for providing help through a Voice Browser. Horn provides no teachings pertaining to customer help systems or voice browser applications. Cohen is silent as to conferencing. Accordingly, one of ordinary skill in the art would not be motivated to turn to Horn to cure the deficiencies of Cohen in regards to the Applicants' invention.

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

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Respectfully submitted,

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